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LETTER DATED 1 FEBRUARY 1997 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF ZAIRE TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you, annexed hereto, a letter addressed to you by the Deputy Prime Minister and Minister for Foreign Affairs concerning the situation of aggression to which the Republic of Zaire has once again been subjected by the armed forces of Uganda, Rwanda and Burundi.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Lukabu KHABOUJI N'ZAJI
Minister Plenipotentiary
Deputy Permanent Representative
Chargé d'affaires, a.i.

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Annex

Letter dated 1 February 1997 from the Deputy Prime Minister and Minister for Foreign Affairs of Zaire addressed to the President of the Security Council

In accordance with Article 34 and Article 35, paragraph 1, of the Charter of the United Nations, I have the honour to bring to the attention of the Security Council the grave situation prevailing in the provinces of eastern Zaire as a result of the aggression perpetrated by the Republic of Uganda, the Rwandese Republic and the Republic of Burundi.

On 29 and 30 January 1997, the localities of Bendera, Nord-Shaba, and Watsa, Haut-Zaire, were attacked by Ugandan and Rwandan troops.

Earlier, during the months of September, October and November 1996, troops from Uganda, Rwanda and Burundi had attacked the regions of Nord-Kivu and Sud-Kivu.

This aggression to which Zaire has been subjected is now a matter of public record, as certain Governments, including those of Belgium and the United States of America, officially recognized and condemned the presence of Ugandan and Rwandan troops, in particular, on Zairian soil.

During the fighting between the Zairian armed forces and the invading forces, some heavily armed members of the armed forces of Burundi, Uganda and Rwanda were captured on the battlefield and shown to the national and international press and to the Zairian public on 31 January 1997.

This constitutes the evidence put forward by Zaire of the unjustified and unprovoked aggression to which it has been subjected by the armies of neighbouring countries.

In view of the unresponsiveness of the international community, and pending the adoption by the Security Council of the measures required by the circumstances, Zaire is entitled to avail itself of the provisions of Article 51 of the Charter in order to recover its territories, which have been occupied by enemy forces and to put a stop to aggression.

In carrying out this constitutional obligation to defend the fatherland, which is in keeping with the spirit and letter of the Charter, Zaire has neither hegemonic intentions nor territorial designs on neighbouring countries.

Zaire intends simply to re-establish its authority over the eastern provinces, in accordance with the principles of the territorial integrity and the inviolability of the internationally recognized borders of States.

The Government of the Republic of Zaire requests the Security Council, which has defended the sovereignty, the territorial integrity and the inviolability of the internationally recognized borders of Zaire in its resolutions 1078 (1996) and 1080 (1996) to:

1. Recognize and condemn the aggression to which the Republic of Zaire has been subjected by the armed forces of Uganda, Rwanda and Burundi.

2. Adopt the measures required to put a stop to aggression and compel Uganda, Rwanda and Burundi to withdraw their troops unconditionally from Zairian territory.

3. Adopt such other measures as may be conducive to restoring peace and security in the Great Lakes Region, which have been seriously threatened.

It is time for the Security Council to shoulder the responsibilities conferred on it by the Charter with regard to aggression against a Member State so as to avoid the possibility that discriminatory treatment in the Zairian case might have a lasting adverse impact on the credibility of the United Nations and the confidence of Member States in the collective security system established by the Organization.

In the belief that the Security Council will admit the complaint by the Republic of Zaire, I request you to have this letter circulated as a document of the Security Council.

(Signed) Gérard KAMANDA-wa-KAMANDA
Deputy Prime Minister
Minister for Foreign Affairs